

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

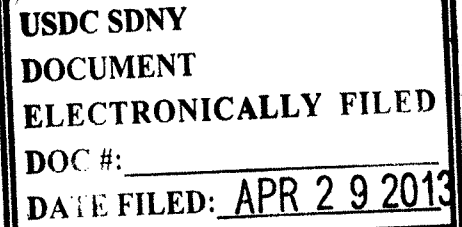
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BENJAMIN MESSINGER,

Plaintiff,

-v-

JP MORGAN CHASE BANK, N.A.,

Defendant.
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13 Civ. 02444 (AJN)

NOTICE OF INITIAL
PRETRIAL CONFERENCE

ALISON J. NATHAN, District Judge:

This case has been assigned to me for all purposes. It is hereby ORDERED that counsel for all parties appear for an initial pretrial conference with the Court on **Friday, June 21, 2013 at 11:15 am in Courtroom 906** of the United States District Court for the Southern District of New York, Thurgood Marshall U.S. Courthouse at **40 Foley Square**, New York, New York. All parties are required to register promptly as filing users on ECF. Prior to the date of the conference, each party must also send the Court one courtesy copy of the party's pleadings. Any open legal issues can be addressed at the conference.

Counsel are directed to confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at a Fed. R. Civ. P. 16 conference. Additionally, in accordance with the Court's Individual Rules, the parties are hereby ORDERED to submit via e-mail (NathanNYSDCChambers@nysd.uscourts.gov) a Proposed Civil Case Management Plan and Scheduling Order in PDF format **no later than nine days prior to the Initial Pretrial Conference**. The parties shall use this Court's form Proposed Case Management Plan and Scheduling Order available at the Court's website (<http://nysd.uscourts.gov/judge/Nathan>).

IT IS FURTHER ORDERED that included with the Proposed Civil Case Management Plan, the parties jointly submit a letter, not to exceed five (5) pages, providing the following information in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie in this Court;
- (3) A brief description of all outstanding motions and/or all outstanding requests to file motions;
- (4) A brief description of any discovery that has already taken place, and that which

will be necessary for the parties to engage in meaningful settlement negotiations;

- (5) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;
- (6) The estimated length of trial; and
- (7) Any other information that the parties believe may assist this Court in resolving the action.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: orders_and_judgments@nysd.uscourts.gov.

All pretrial conferences must be attended by the attorney who will serve as principal trial counsel. Requests for adjournment may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates on succeeding Fridays when all counsel are available. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

Counsel who have noticed an appearance as of the issuance of this order are directed (i) to notify all other parties' attorneys in this action by serving upon each of them a copy of this order and the Court's Individual Rules (available at the Court's website, <http://nysd.uscourts.gov/judge/Nathan>) forthwith, and (ii) to file proof of such notice with the Court. If unaware of the identity of counsel for any of the parties, counsel receiving this order must forthwith send a copy of this order and Individual Rules to that party personally.

Dated: April 29, 2013
New York, New York



ALISON J. NATHAN
United States District Judge